

In the  
**Indiana Supreme Court**



IN THE MATTER OF THE )  
 )  
APPROVAL OF LOCAL RULE )  
 )  
FOR ALLEN COUNTY )

Case No. 02S00-1310-MS- 706

ORDER APPROVING AMENDED LOCAL RULE

The judges of the Allen Circuit and Superior Courts request the approval of an amended local rule for special judge selection in accordance with Ind. Trial Rule 79. Attached to this Order is the proposed amended local rule.

Upon examination of the proposed rule amendment requested by the Allen Circuit and Superior Courts, this Court finds that the proposed rule amendments, LR02-TR79-01 complies with the requirements of Ind. Trial Rule 79, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Allen County Local Rule, LR02-TR79-01, set forth as an attachment to this Order, is approved effective retroactive to September 1, 2013, provided further that the rule shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. Thomas J. Felts, Allen Circuit Court, 715 South Calhoun Street, #300, Fort Wayne, IN 46802-1805; to the Hon. David Avery, Allen Superior Court, 715 South Calhoun Street, #319, Fort Wayne, IN 46802-1805; to the Hon. Nancy Eshcoff Boyer, Allen Superior Court, 715 South Calhoun Street, #325, Fort Wayne, IN 46802-1805; to the Hon. Wendy Davis, Allen Superior Court, 715 South Calhoun Street, #305, Fort Wayne, IN 46802-1805; to the Hon. Frances C. Gull, Allen Superior Court, 715 South Calhoun Street, #314, Fort Wayne, IN 46802-1805; to the Hon. Daniel G. Heath, Allen Superior Court, 715 South Calhoun Street, #316, Fort Wayne, IN 46802-1805; to the Hon. Stanley A. Levine, Allen Superior Court, 715 South Calhoun Street, #317, Fort Wayne, IN 46802-1805; to the Hon. Charles F. Pratt, Allen Superior Court, 715 South Calhoun Street, #208, Fort Wayne, IN 46802-1805; to the Hon. John F. Surbeck, Jr., Allen Superior Court, 715 South Calhoun Street, #302, Fort Wayne, IN 46802-1805; to the Clerk of the Allen Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Allen Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, on October 24, 2013.

A handwritten signature in black ink, appearing to read "Brent E. Dickson", written over a horizontal line.

Brent E. Dickson  
Chief Justice of Indiana

## **LR02-TR79-01 Selection of a Special Judge Pursuant to TR 79(H)**

### **A. Appointment by Clerk**

If a special judge is not appointed pursuant to TR 79(D), the Clerk of the Court shall select a special judge (on a rotating basis) from a list consisting of judicial officers eligible under TR 79(J).

### **B. Certification to the Supreme Court**

In cases in which no judge is eligible to serve as special judge or the particular circumstances of a case warrant selection of a special judge by the Indiana Supreme Court, the appropriate Allen County Judge may certify the case to the Indiana Supreme Court for appointment of a special judge.